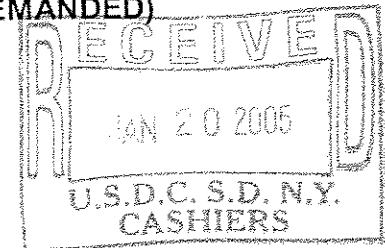


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CONZO, JOSEPH A.)
ABERG, WAYNE)
ACEVEDO, JAMES)
ACEVEDO, JOEL)
ACOSTA, JORGE)
ACOSTA, WILBERT)
ADELMAN, SCOTT)
ADORNO, ANTONIO)
ADRAT, ILEANA D.)
AJAZ, SHAKEEL)
ALBANESE, JOANNE)
ALIBRANDI, ROSEMARIE)
ALICEA, ROBERT)
ALLAN, DAVID D.) CIVIL ACTION NO.
ALLEN, KEVIN M.)
ALLEN, LINDRY W.)
ALMOJERA, ANTHONY RICHARD) (JURY TRIAL DEMANDED)
ALVAREZ, JOHN-PAUL)
ALVAREZ, LUIS E.)
ALY, MAHMOD ADELHADY)
AMMIRATI, RAE)
AMOR, ANTONIO)
AMORELLO, SUSAN S.)
ANDERSON, ANTHONY RANDALL)
ANDERSON, KIMBALE P.)
ANDREWS, TODD)
ANDRYJK, PETER NICHOLAS)
ANGLIM, PETER F.)
ANGLIN, TAMIKA S.)
ANSON, TIMOTHY JOHN)
APRILU, VICTOR A.)
ARMAS, SAMMY L.)
ARNOLD, MIRIAM)
ASCIOLLA, VINCENT J.)
ATTANASIO, CHRISTOPHER)
AUERBACH, HOWARD FRED)
AVILES, BENNY)
AVILES, FRANKIE)
AVILES, GILBERTO J.)
AYALA, ANGEL DAVID)
AYUSO, JIMMY M.)
BA, BABACAR)

JUDGE CEDARBAUM

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BABB, ROXIE)
BAEZ, DIANA I.)
BAILEY, DENISE MICHELE)
BAKER, VERONICA)
BANCHS, ARTURO)
BARRETO, ELAINE)
BARROW, GRANGER T.)
BARTOLOMEY, ANTHONY THOMAS)
BARZILAY, OREN)
BASILE, MARC MATTHEW)
BASTIEN, MOSES)
BATES, ANDREW W.)
BATH, DANE NOWELL)
BAUTISTA, HANFORFT M.)
BECKER, JAMES)
BEDELL, MICHAEL R.)
BEDULA, WILLIAM W.)
BENDER, GAIL B.)
BENJAMIN, ALTHEA)
BENTKOWSKI, JANET)
BERGER, RICHARD CHARLES)
BERRIOS, RUBEN)
BETANCOURT, NORA)
BIALEK, STEVEN CHRISTOPHER)
BIELICKI, STEPHEN)
BILAL, HERMIEN)
BISHOP, CHERYL Y.)
BLANCO, AUGUSTINE)
BLISKO, YEHOOSHUA)
BLUMBERGS, THOMAS J.)
BOBB, EDWARD)
BOLGER, JAMES ANDREW)
BONHOMME, SAMUEL)
BONIFACIO, FERDINAND)
BONILLA, MARK A.)
BOTTINI, LISA A.)
BOWERS, ALBERT)
BOWERS, SHAWN M.)
BOYER, ENIS)
BOYER, LYDIA M.)
BRACKEN, RICHARD JOHN)
BRADLEY, RONALD LYNN)
BRADY, FRANK S.)
BRAGER, JOHANNA)
BRANDSTETTER, JOSEPH JOHN)
BRANDT, FREDERICK L.)

BREWSTER, RANDOLPH N.)
BRIONOL, YVETTE DAPHNE)
BROCKINGTON, KEISHA MONIQUE)
BRODSKIY, ALEKSANDR)
BROWN, BERYL ELAINE)
BROWN, DON N.)
BROWN, JOHNNIE)
BUCKLAN, JOSHUA N.)
BUNETA, JOHN MARIO)
BUONINFANTE, ALFONSO ERNEST)
BURBRIDGE, DANIEL GERALD)
BURKE, JEFFREY J.)
BURKE, TRACEY E.)
BURNS, AARON MARTIN)
BUSZEWSKI, MARY HELEN)
CABRERA, HENRY EDUARDO)
CABRERA, HENRY EDUARDO)
CAINE, GREGORY)
CALAMUSA, MARGARET MARIE)
CALDWELL, STANLEY ANTHONY)
CALLACI, FRANK)
CAMPBELL, HEATHER ROXANNE)
CANCEL, ROBERT)
CANEL, GENE)
CARBONELL, JORGE A.)
CARLSON, LINDA)
CARREIRO, JOHN JOSEPH)
CARRERA, DAMIAN W.)
CARRERO, DAMIAN WALTER)
CARROLL, THERESA MIRIAM)
CASCIO, ELIZABETH)
CASHMAN, DAVID G)
CASSIDY, KEVIN M)
CASSON, PAUL R.)
CASTILLO, ALEXIS J.)
CASTRO, EILEEN)
CATANIA, SALVATORE)
CATELLO, NICHOLAS A.)
CAVALIERE, JAMES P.)
CELENTANO, VINCENT A.)
CELESTRI, STEVEN VINCENT)
CENGIZ, CEMAL)
CHAN, LOUIS)
CHAN, RICARDO)
CHARBONEAU, PIERRE C.)
CHARLES, FRANCIS A.)

CHINOV, DMITRIY)
CICCOTELLI, CHRISTOPHER R.)
CLARKE, JUNE)
COLAMARINO, CRAIG D.)
COLBERT, LYNETTE M.)
COLEMAN, MICHAEL)
COLLADO, OCTAVIO D.)
COLLAZO, ANNE LORETTA)
COLLAZO, EDGARDO)
COLON, LESLIE ANN)
COMBS, NIKCOLA S.)
COMERFORD, JOHN JOSEPH)
CONBOY, STEVEN THOMAS)
CONNELL, RYAN V.)
CONNORS, BRENDAN P.)
CONNORS, JAMES E.)
CONTRERAS, JULIO CESAR)
CORDOVA, EDWIN)
CORDOVA, NICHOLAS)
CORSO, ANTONINO)
COSCIA, STEVE M.)
COSENZA, EDWARD M.)
COTTI, JOSE O)
COUNTADE, CARLOS E.)
COUSAR, SHERRI)
COYNE, PATRICK JOSEPH)
COYNE, RONALD THOMAS)
COZZINO, ANTHONY S.)
CRISPINO, JAMES V.)
CRUZ, ALLEN)
CRUZ, BENJAMIN)
CRUZ, JOE LEWIS)
CRUZADO, ALBERT J.)
CUBERO, MICHAEL)
CUCINELLI, MARY B.)
CURRY, SEAN P.)
CUTRONE, YVETTE)
DAGROSSA, DONNA J.)
DALEY, CHRISTOPHER RYAN)
D'ANGELO, MARY E.)
DANGLADE, ROBERT RHEINHOLD)
D'AURIA, CHRISTOPHER C.)
DEFrancesco, CHRIS WILLIAM)
DEILY, ANDREA N)
DEJESUS, GILBERT)
DEJESUS, PATRICIA)

DELGADO, ANTHONY CARMELO)
DELGADO, BLANCA M)
DELGADO, MIGUEL ANGEL)
DELGADO, MIOSOTTY)
DELOS SANTOS, OCTAVIO A.)
DELVALLE, BRENDA IVETTE)
DEMARCO, DIANE R.)
DENNIS, ADRIAN ARNOLD)
DENSON, ROBERT)
DEPIETRO, JUDI L.)
DERAIMO, LEO J.)
DERICO, ANTHONY TYRONE)
DEVAYNES, KATHLEEN)
DIAZ, MOUSSA M)
DLUHOS, TIMOTHY E.)
DOMINGUEZ, MANUEL)
DOYLE, ERIN PATRICIA)
DRAGOTTO, ANGELA)
DUFORT, PATRICIA M.)
DUNN, ANDREW WILLIAM)
DUNN, JOYCE)
DUSSUAU, MICHAEL)
DWYER, WILLIAM ANTHONY)
EARLEY, MICHAEL SCOTT)
EDELL, KEVIN LEE)
EDICK, DAVID L.)
EDLER, FRANCIS)
EDLUND, MATTHEW JOHN)
EDMONDSON, SANDY L.)
EDWARDS, FRANCINA)
EHRLICH, SERELE P.)
ELDAHRY, WARIL KAMAL)
ENCARNACIEU, GEORGE J.)
ENRIGHT, KEVIN)
ERDEY, RICHARD LAWRENCE)
ERWOOD, KEITH)
ESCOBAR, CESAR A.)
ESPOSITO, ANNETTE)
ESQUIVIAS, JOSEPH B.)
ESTRADA, ALBERT)
EVERRERO, FRANCISCO A.)
FALLONE, JASON M.)
FARR, NICHOLAS G.)
FAZZINO, JOSEPH)
FEENEY, MARYROSE)
FEIN, DAVID ALAN)

FEIT, ANNE E.)
FELICIANO, DOMINGO)
FELTS, ROBERT)
FERRARA, ROSA MARIA)
FERRARA, TONI ANNE M.)
FERRER, SALVADOR)
FIELDS, MICHAEL)
FOIRE, JOSHUA REED)
FLOOD, VINCENT)
FLOREAL, ERNST)
FLORES, NICHOLAS E.)
FLYNN, ECCLES L.)
FOLEY, JAMES TIMOTHY)
FRANCISCO, RALPH A.)
FRAYNE, BRIAN E.)
FREDERICK, LEON)
FREEMAN, DORLAN JOSEPH)
FREITAG, LISA M.)
FUENTES, LOURDES YAHaura)
GALLETTA, SCOTT DAVID)
GARCIA, DIONISIO)
GARCIA, LEONORE J.)
GARCIA, MARIA THERESA)
GARONE, JOSEPH)
GASDARIK, THOMAS G.)
GELLER, BARBIE-JO)
GENOIS, FRANER)
GERACE, JOSEPH VINCENT)
GERTZ, DOUGLAS)
GIBBERMAN, RONALD JAY)
GLATZER, ABRAHAM B.)
GLAUDE, DONNA E.)
GLENN, MICHAEL JOHN)
GLENNON, PETER JOHN)
GLICK, ALAN N.)
GOLDSTEIN, STEVEN)
GOMEZ, ALEXANDER)
GOMEZ, ALWIDA HELEN)
GONA, MICHAEL J.)
GONZALEZ, ANDRU PHILLIP)
GONZALEZ, JOSE A.)
GONZALEZ, JOSE ENRIQUE))
GONZALEZ, MARCUS F.)
GONZALEZ, SUSAN A.)
GORDON, HOWARD M.)
GORDON, TOMEKO A.)

GOSLING-MARTINEZ, VALERIE J.)
GRADDICK, BERNARD W.)
GRAULAU, STEVEN)
GRAY, ANNA S.)
GRECO, DEBORAH HELEN)
GREENE, LESTER MUATA)
GREENIDGE, DAVID EMMANUEL)
GRIFFITH, GLENROY ANTHONY)
GROH, RORY MICHAEL)
GROHL, KAREN)
GRUBERT, RONALD G.)
GUABADIA, ASTON)
GUARNERI, JOHN MICHAEL)
GUERRERO, FRANCISCO A.)
GUERRERO, MIGUEL A.)
GUEVARA, JULIE ANNE)
GUSS, ALAN B.)
GUTIERREZ, MARTHA I.)
GUTNICK, BRUCE D.)
GUZMAN, BENNIE)
GUZMAN, DOUGLAS)
GY, SHENG)
HABER, ANDREW SCOTT)
HACKETT, GARY)
HAGGERTY, ROBERT D.)
HAIGNEY, WILLIAM G.)
HALL, KHADIJAH)
HAMILTON, PETER G.)
HANCOCK, BRIAN)
HANNETTY, EUGENE G.)
HARDY, TERRANCE TERRELL)
HARRIS, MARK A.)
HARRIS, THERESA MARY)
HARRISON, WINSLOW MARK)
HASAN, SAJID)
HASSELL, CEDRIC RICARDO)
HAVELKA, RUDOLPH THOMAS)
HAWKINS, RICHARD MATTHEW)
HAYES, KENNETH)
HAYNES, FRANCES I.)
HEALY, JOHN THOMAS)
HEALY, KARL J.)
HEALY, SHAWN PATRICK)
HEEGAN, WILLIAM PATRICK)
HEINS, ROBERT WILLIAM)
HENRIQUEZ, JUAN L.)

HEWLETT, EARL KEVIN)
HIBBERT, LOUISE E.)
HIGGINS, CHRISTOPHER D.)
HIX, EILEEN J.)
HOCHBRUECKNER, WALTER)
HOCKENJOS, ROBERT F.)
HOCKSTEIN, EDWIN RICHARD)
HODGE, GREGORY HOWARD)
HODGE-CARTER, LINDA)
HOEY, LAURA M.)
HOOVER, HAROLD LEONARD)
HORAN, JAMES JOSEPH)
HOUSTON, SCOTT E.)
ISRAEL, ROBERT J.)
JACKSON, COSMO)
JACKSON, CURTIS)
JACKSON, DANIEL PAUL)
JAMES, SUSAN)
JENKINS, REGINALD ANTONIO)
JEWET, JEROME D.)
JIMENEZ, EDWIN)
JOHNSON, CHAUNCEY L.)
JOHNSON, DAVID GEORGE)
JOHNSON, KENNETH)
JOHNSON, MARK ANTHONY)
JOHNSON, MICHAEL D.)
JOHNSON, ROBERT)
JOHNSON, RONALD J.)
JOHNSON, STEPHEN TIMOTHY)
JOHNSON, TRACY MCNEAL)
JOHNSON, VINCENT JAMES)
JOHNSON, VINCENT S.)
JONES, ANGELA M)
JONES, BRENDA EUGENIA)
JONES, DONALD C.)
JONES, KENYA A.)
JORDAN, MARIO ALBERT)
JOST, CARL)
KAGENAAR, CHRISTOPHER JOHN)
KAISER, MICHAEL T.)
KAIZ, JASON GOLDEN)
KALSKI, MARTIN)
KATECHIS, KONSTANTINOS)
KATSANAKOS, ANDREA STELLA)
KAUTH, KATHLEEN ELLEN)
KELLY, LINDEN)

KIERNAN, SCOTT ANDREW)
KLEIN, MOSHE)
KOHRMANN, GEORGE ARTHUR)
KONG, JING M.)
KOPCHYNSKI, BRIAN DAVID)
KORONEC, ALEXANDER)
KOSZOWSKA, EWA)
KOVALSKY, MICHAEL JOHN)
KROUSTALLIS, GEORGE)
KRULFEIFER, JEFFREY MARC)
LANGLEY, JOHN)
LAROCK, YVONNE S.)
LASKOWSKI, RICHARD PHILIP)
LAUES, CALEB ANTONIO)
LAURIE, RAYMOND EDWARD)
LAVAUD, JACQUES JOACHIM)
LAWRENCE, NICOLE ANNE)
LAWSON, RONAY M)
LEAP, LEONARD L.)
LEE, RICHARD C.)
LEELAND, WENDI LYNN)
LEFKADITIS, CHRISTOS)
LEFORT-LERICHE, MARIE D.)
LEONARD, GLORIA A.)
LESEUR, BART ANTONIO)
LEVINE, BRETT)
LEWIS, MAXINE)
LICARI, JUSTIN MATHEW)
LIGHTSEY, KEVIN)
LILLI, ANTHONY JOSEPH)
LINCKE, NANCY B.)
LINDBLOM, TIMOTHY JAMES)
LINDEMAN, DAVID J.)
LINDNER, MATTHEW B.)
LINDO, MICHAEL)
LIPORACE, MICHAEL ANDREW)
LIXANDROIU, CORINA)
LIZARAZO, JULIO CESAR)
LOGUE, PETER J.)
LOMINO, ALICE)
LOMINO, JOSEPH P.)
LOPATINE, VADIM A.)
LOPEZ, EDWIN)
LOPEZ, JOHNNY J.)
LOPEZ, LUIS E.)
LORENZ, ADAM GABRIEL)

LOWE, EDWARD ALLEN)
LURIX, PHILLIP DANIEL)
MACHADO, RICHARD)
MAHER, KEVIN J.)
MAHONEY, CAROLANNE M.)
MAHONEY, DENISE)
MAHONEY, JAMES W.)
MALDONADO, MELVIN)
MANERI, VINCENT A.)
MANJARREZ, FELIX A.)
MANNING, JOHN J.)
MARENGO, ANGEL)
MARIN, RAYMOND)
MARINO, JOHN)
MARINO, STEVE N.)
MARKS, DAVID)
MARRERO, FERMIN DAVID)
MARRERO, JULIO C.)
MARRONE, RICHARD JOSEPH)
MARS, MICHAEL)
MARSDEN, THOMAS STUART)
MARSH, TIANA NICOLE)
MARTHONE, HARRY JOSEPH)
MARTINEZ, EMILIO)
MARTINEZ, JAMES MICHAEL)
MARTINEZ, JOSE)
MARTINO, CHRISTOPHER JOHN)
MARUCHEAU, SCOTT C.)
MARX, LAWRENCE E.)
MATARAGAS, JEANINE R.)
MATONIS, MICHAEL M.)
MATOS, CONRAD FRANK)
MAURER, KURT RUDI)
MAYROSE, JOHN THOMAS)
MAZUR, MARK R.)
MCCARREN, CHARLES J.)
MCCARTHY, THOMAS J.)
MCCONNELL, JOHN P.)
MCCORVEY, DULCE)
MCCOY, STEPHENSON)
MCCOY, THOMAS C.)
MCDALE, FRANKIE L.)
MCDONALD, KEVIN MATTHEW)
MCGULGAN, PATRICIA)
MCINTOSH, JASON EDWARD)
MCINTYRE, MARK D.)

MCKENZIE, PAUL ANTHONY)
MCKEON, KEVIN)
MCKIERNAN, DONNA)
MCLAURIN, REGINALD EUGENE)
MCNAIR, ROBERT A.)
MCNAMEE, CHRISTIAN W.)
MCWILLIAMS, JOE)
MELAS, ALEXANDER T.)
MELAS, MICHAEL BYRON)
MELENDEZ, SAMUEL A.)
MELO, BYRON)
MELODIA, DENISE)
MENDELSON, GIOVANNA M.)
MENDELSON, JASON G.)
MENDEZ, EDWIN)
MENDEZ, ERIC)
MENDEZ, MYRNA)
MERCADO, LEYBI JACKSON)
MIANO, PAUL ANTHONY)
MILLER, DAPHNE A.)
MILLER, EDWARD SCOTT)
MILLER, MATTHEW)
MILLER, MICHAEL LLEWELLYN)
MILLS-RUIZ, DEBORAH ANNE)
MIRANDA, ANTHONY J.)
MIRANDA, FRANK)
MIRANDA, ISRAEL)
MITCHELL, NATHANIEL VINCENT)
MOLINA, RUTH)
MONK, OWEN L.)
MONTALVO, YVETTE)
MONTES, EDIL)
MOONEY, JOHN M.)
MORALES, JORGE A.)
MORALES, SUZETTE ABBELISE)
MORRA, LAWRENCE J.)
MOSLEY, DONNA)
MOTTO, CHARLES)
MUELLER, PETER WOLFGANG)
MUHAMMAD, RUDOLPH T.)
MULHOLLAND, DOUGLAS EDWARD)
MUNOZ, DANIEL)
MUNOZ, RICARDO L.)
MURPHY, BRIAN C.)
MURPHY, JAMES M)
MUSTAFA, SAID A.)

NARCISSE, SHAWN N.)
NARDELLA, RITA)
NASH, KEVIN J.)
NAVARO, ALFRED)
NEGRON, STEVEN)
NERONE, VINCENT B.)
NEWMAN, KENNETH G.)
NICHOLS, GUY E.)
NICHOLS, ROSAMARIE M.)
NIEVES, LOURDES V.)
NINA, MIGUEL ANGEL)
NORIEGA, CRISTINA)
NUQUI, FRANK S.)
OBERDORFER, NANCY MICHELLE)
O'BRIEN, WENDELL)
O'CARROLL, RENAE TAMASSA)
O'CONNOR, NEIL THOMAS)
O'FARRELL-RODRIGUEZ, LORNA M.)
OLDER, DANIEL JOSE)
OLGUIN, MURAT)
OLIVE, ELLIS EDWARD)
O'MALLEY, BRYAN A.)
ORLANDO, GEORGE L.)
ORTEGA, BRUNY)
ORTIZ, IRIS)
ORTIZ, NORMAN A.)
OSGOOD, ELIZABETH)
OTERO, EDUARDO J.)
OTERO, JEANNETTE)
O'TOOLE, PETER J.)
O'VALLE, JUAN ARTURO)
OVSEN, ALAN L.)
PABON, ARNOLD)
PADRO, ROBIN J.)
PAGAN, MICHAEL)
PALACIOS, MARCO T.)
PALLADINO, ANGELO)
PALLESCHI, MICHAEL PATRICK)
PALLONE, THOMAS S)
PAMPHILE, DAPHNEY)
PARRIS, RENNE C.)
PASCARELLA, ANTHONY T.)
PASSALAQUA, DOROTHY)
PASTOR, JOSEPH)
PATAKY, JOSEPH J.)
PATO, GREGORY K.)

PAYAMPS, FERNANDO)
PEAY, TUESDAY R.)
PECK, MARK J.)
PELLEGRINO, REGINA F.)
PENA, MAXIMO A.)
PERALTA, WILLIAM G.)
PERDON, MARIO F.)
PEREZ, EDDY)
PEREZ, JAMIL NAZAR)
PEREZ, LESLIE M.)
PERSAD, SIEWNARINE)
PERSAMPIERI, JOSEPH FRANK)
PETERS, KELLY A.)
PETERSON, CRAIG G.)
PETRAS, STEPHAN JOHN)
PETRIE, JOHN EDWARD)
PFEFFER, RON KEVIN)
PHELAN, JON)
PICHARDO, DAMARY A.)
PIERCE, JOEL DANIEL)
PIZZITOLA, MARIANNE)
PIZZO, FRANK V.)
PONCE, VICTOR)
PORTILLA, ROBERT)
POWER, SEAN)
PRIDE, HERMAN BENJAMIN)
PRIMO, EDWARD)
PRINGLE, EDNA LILA)
PRUNTY, RICHARD)
QUINTERO, RICARDO)
QUIROS, ROSEMARIE)
RAFTERY, JOHN P.)
RAMOS, MANUEL ANTONIO)
RATHOUR, MOHINDER)
RAU, KENNETH G.)
RAYNOR, CHARLES ANTHONY)
REGA, TRICIA MARIE)
REGAN, BONNIE)
REILLY, MARK K.)
RENO, MATTHEW G.)
RICH, WILLIAM)
RICHARDSON, CELESTINE D.)
RICHARDSON, SHAYSSA)
RINGEL, JEFFREY EDWARD)
RIOS, CESAR)
RIOS, EVELYN)

RIVERA, CARLOS C.)
RIVERA, JOHNNY)
RIVERA, RICHARD)
RIVERA, ROSA B.)
RIVERA, WILFREDO)
ROBBINS, MICHELLE L.)
ROBINSON, TAISHA NAOMI)
RODRIGUEZ, ARNOLDO L.)
RODRIGUEZ, JOSEPH A.)
RODRIGUEZ, LUIS DIMAS)
RODRIGUEZ, PAULA K.)
RODRIGUEZ, YADANIA)
ROMERO, DAVID ANTHONY)
ROMPS, MICHAEL EDWARD)
RONDON, DOUGLAS A.)
ROSA, THOMAS M)
ROSA, WILLIAM)
ROSA-DIAZ, YVONNE)
ROSADO, RICHARD)
ROSARIO, ELIU)
ROSEN, JONATHAN MICHAEL)
ROSENBLATT, IAN M)
ROSENTHAL, DAVID WILLIAM)
ROSS, ANTHONY COLE)
ROSS, VANESSA)
ROTHFELD, MICHAEL SEAN)
ROUSSEAU, PHILLIPPE)
RUSH, WILLIAM JOSEPH)
RUZICKA, JOHN CHARLES)
SAFFON, JASON L.)
SALAZAR, FAVIAN)
SALE, ANNE)
SALEM, PARISA)
SALGUERA, RON)
SALVESEN, ROBERT DARRELL)
SAMERSON, HUGH JEFFREY)
SANABRIA, SALUSTIANO)
SANCHEZ, CHARLES ANTHONY)
SANCHEZ, JESUS)
SANCHEZ, LISSETTE)
SANDEFUR, MARIE)
SANFORA, PETER J.)
SANTANA, LISA)
SANTANA, ROSANA)
SANTIAGO, BOBBY)
SANTIAGO, MANUEL)

SANTOS, KELLY J.)
SAVINON, EDWARD A.)
SCHABAUER, CONRAD)
SCHAEFER, JOHN WILLIAM)
SCHIMANSKI, HARRY R.)
SCHIUME, JOSEPH)
SCHMIDT, AMANDA NICOLE)
SCHULTZ, DONNA MARIE)
SCHWARTZ, HERMAN)
SCHWEIGERT, ANN MARIE)
SCIMEME, BRYAN MICHAEL)
SCORDUS, JAMES EDWARD)
SCOTT, FREDA)
SCOTT, NORMAN JASON)
SCOTTI, STEPHANIE)
SEDENIUSSEN, EARTHA PAIGE)
SELENGUT, IRA)
SEQUERA, RAFAEL)
SERENA, GREGORY N.)
SHARMA, AJAY KUMAR)
SHEA, JOSEPH F.)
SHEIRER, ANDREW N.)
SHORT, ROBERT JOSEPH)
SIERRA, ARAMIS C.)
SILVEIRA, ROBERTO JOSE)
SILVESTRY, WILFREDO)
SIMONS, MERISA ALYSON)
SIMONS, RAYMOND THOMAS)
SIMPSON, JOHN J.)
SINGELTON, SANDRA)
SKAMALOS, KONSTANTINOS)
SKIPPER, BRIAN K.)
SLAVIK, PATRICIA A.)
SLICK, MARGARET)
SMALLEY, MARC MCKENZIE)
SMILEY, GARY STEVEN)
SMITH, BRIAN M)
SMITH, GLENN H.)
SMITH, KATHERINE)
SMITH, RICHARD T.)
SMITH, STEPHEN A.)
SMITH, THOMAS P.)
SOSA, CAONABO J.)
SOSA, HUGO P.)
SOTO, ANTONY)
SOTO, JOSE)

SPACEK, ONDREJ)
SPECHT, CHRISTOPHER W.)
SPECHT, SOPHIA ANNE)
SQUITIERI, JONATHAN R.)
STARACE, DOUGLAS)
STEFFES, GAIL A.)
STEWART, SYLVESTER DARNELL)
STURDIVANT, ELIZABETH)
SUAREZ, EDGARD)
SULLIVAN, JAHMAR S.)
SULLIVAN, MICHAEL P.)
SUMTER, ANDREL)
SVRIEL, ALVIN)
SWANSON, CHRISTOPHER)
SWIAZKOWSKI, CHRISTOPHER)
SWORDS, IAN C.)
TAMMARO, ANTONIO)
TAYLOR, EMERY C.)
TAYLOR, JONATHAN)
TAYLOR, LESLIE PETER)
TAYLOR, MARK ANTHONY)
TELEMAQUE, YVES V.)
THENSTEAD, JAMES)
THOMAS, THOYWELL T.)
TIBERI, DONNA LYNN)
TIBERI, LEONARD)
TIMS, JOHN A)
TORO, ADIEL)
TORRE, FELIPE A.)
TORRES, BRENDA M.)
TORRES, EDITH ELIDA)
TORRES, THOMAS)
TORRES, VELITA)
TORRISI, AMANDA)
TRAGER, GEORGE V.)
TRAIL, GEORGE A.)
TROEBER, TIMOTHY M.)
TROISI, ONOFRIO)
TRUCCOLO, WILLIAM M)
TSANG, FELICIA JOY)
TSURUMI, EVAN)
TYREE, MATTHEW OWEN)
VALENZA, MICHAEL ANTHONY)
VALLADARES, STEPHEN WILLIAM)
VANDEMARK, JOSEPH K.)
VANNATA, HILDE L.)

VERSHECK, KIM RICHARD)
VICTOR, CAMILLE J.)
VICTOR, PIERRE)
VILLANUEVA, ANTHONY)
VILLARROEL, CHRISTIAN W.)
VILLAVERDE, GUILLERMO)
VITALE, CHARLES MICHAEL)
VIVERITO, ANTHONY RONALD)
VOLPE, NICHOLAS V.)
WAGNER, HAROLD JOSEPH)
WAKEHAM, ERIC STEPHEN)
WALLACE, PAUL JAMES)
WALSH, KATHLEEN)
WALSH, ROBERT J.)
WASHINGTON, ALICIA E.)
WASHINGTON, CHARLES C.)
WATERMAN, DAWNETTE J)
WATSON, ZOILA EVITA)
WEINSTEIN, MARC S.)
WEISMAN, REBECCA LYNN)
WEISSMAN, DAVID T.)
WELLINGTON, SHAWN ANDREW)
WESTERVELT, EDWARD THOMAS)
WESTON, DAVID J.)
WETSELL, ANDRIA LOUISE)
WETSELL, DARREN ROGER)
WILKINSON, ADRIAN DUANE)
WILLIAMS, SEDLEY A.)
WILLIAMS, TARA R.)
WILLINSON, ADRIAN D.)
WILSON, EVA MARIE)
WILSONDEBRIANO, CHEVALO)
WINFIELD, LANCE VAUGHN)
YOLLES, JOSEPH)
YOUNGE, LENNOX)
ZAPART, CRAIG R.)
ZAYAS, LUIS M.)
ZEPEDA, JOEEL E.)
ZINNEL, CHRIS)

ZUCKERBERG, ADAM SAMUEL)
ZUCKERMAN, RANDY SCOTT)
ZUNIGA, MAURICE THOMAS)
)
Plaintiffs,)
v.)
) Civil Action No.
CITY OF NEW YORK and THE)
FIRE DEPARTMENT OF)
THE CITY OF NEW YORK) (JURY TRIAL DEMANDED)
)
)
Defendants.)
)

COMPLAINT

INTRODUCTION

Plaintiffs, by and through their counsel, the law firm of Quinn, Ferrante & Mellea and Woodley & McGillivray, for their complaint against the City of New York ("New York City") and the Fire Department of the City of New York ("FDNY") (hereinafter collectively referred to as "defendants"), state as follows:

PARTIES

1. Plaintiffs are and at all times material herein have been employed by defendants in the positions of Emergency Medical Technicians ("EMT's"), Paramedics, and related positions in the New York City Fire Department. Plaintiffs bring this action for a declaratory judgment, back pay and other relief pursuant to 29 U.S.C. § 207, 29 U.S.C. § 216(b), and 28 U.S.C. § 1331 to remedy the defendants' willful and unlawful violations of federal law complained of herein.

2. Plaintiffs are identified in the caption of the Complaint and have given their written consent to be party plaintiffs in this action pursuant to U.S.C. § 216(b). Such written consents are appended to this Complaint in the Appendix. These written consent forms set forth each plaintiff's name and address.

3. Each of the plaintiffs in this action while employed by defendants in the position of EMT's/paramedics and related occupations has been an "employee" within the meaning of the Fair Labor Standards Act (FLSA), 29 U.S.C. Section 203(e)(1).

4. Defendant New York City is, among other things, a juridical entity amenable to suit under the FLSA in that it is, and was at all times material hereto, a public agency within the meaning of Section 3(x) of the FLSA, 29 U.S.C. § 203(x). New York City has a principal office and place of business located at Broadway and Park Row, New York, New York, and may be served with process by serving the Office of Corporation Counsel, 100 Church Street, New York, New York 10007.

5. Defendant Fire Department of the City of New York is an administrative division of New York City and is, among other things, a juridical entity amenable to suit under the FLSA in that it is, and was at all times material herein, a public agency within the meaning of Section 3(x) of the FLSA, 29 U.S.C. §203(x). The FDNY's principal office is located at 9 MetroTech Center, Brooklyn, New York.

JURISDICTION AND VENUE

6. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 and 29 U.S.C. § 216(b).

7. Venue is proper in this district pursuant to 28 U.S.C. § 1391.

FACTS

8. At all times material herein, and since January 14, 2002, as well as before, the plaintiffs have worked within the FDNY for defendants in the position of EMT, paramedic, and related positions.

9. Within the last three years while working in the position of EMT, paramedic, and related positions for defendants, plaintiffs have worked in excess of forty hours per week.

10. During the times that plaintiffs have worked in excess of 40 hours in a week, defendants failed to provide plaintiffs with the rights and protections provided under the FLSA. Among other things, defendants have violated the FLSA, 29 U.S.C. §§ 207(a) and (o) through such actions as (1) suffering or permitting plaintiffs to work before and after their scheduled shifts and failing to compensate plaintiffs for such work activities; (2) failing to pay plaintiffs overtime compensation unless the time spent performing the work equaled or exceeded 15 minutes in length; (3) failing to include in the regular rate at which overtime is paid shift differentials and other types of payments made to plaintiffs in addition to plaintiffs' basic pay; (4) failing to pay out compensatory time when certain plaintiffs have left their employment with defendants; (5) improperly designating compensatory time as "non-FLSA" compensatory time and failing to afford this

earned compensatory time the protections of the FLSA; (6) requiring employees to work on certain days designated as "heat days" and failing to compensate employees for this work time; and (7) requiring employees to attend mandatory medical examinations during off-duty time without compensation.

**CLAIMS FOR RELIEF FOR
VIOLATIONS OF THE FAIR LABOR STANDARDS ACT**

11. Plaintiffs hereby incorporate by reference paragraphs 1 through 10 of this complaint and repeat the allegations set forth therein.

12. Section 207 of the FLSA requires the payment of overtime compensation to employees who work in excess of the hourly standards set forth therein. In particular, Section 207(a) requires the payment of overtime compensation at the rate of one and one-half times each employee's regular rate of pay for all work hours in excess of forty hours per week. Section 207(o) of the FLSA permits the limited use of compensatory time off as a substitute for cash compensation for overtime pay for public sector employees, but only under the terms and conditions prescribed by the FLSA, 29 U.S.C. §207(o).

13. Defendants have failed to comply with the overtime pay requirements of the FLSA in the manners outlined herein and in particular in paragraph 10.

14. By failing and refusing to pay the plaintiffs the overtime pay required under law, the defendants have violated, and are continuing to violate in a willful and intentional manner, the provisions of the FLSA. Specifically, defendants' pay practices violate section 207 of the FLSA and this action is

brought to remedy the violations of the FLSA for the maximum period allowed under the law. As a consequence, at all times material herein, the plaintiffs have been unlawfully deprived of overtime compensation and other relief for the maximum statutory period allowed under federal law.

15. As a result of the defendants' willful and purposeful violations of the FLSA, there have become due and owing to the plaintiffs an amount that has not yet been precisely determined. The employment and work records for the plaintiffs are in the exclusive possession, custody and control of defendants and the plaintiffs are unable to state at this time the exact amount owing to them. Defendants are under a duty under the FLSA, 29 U.S.C. § 211(c), and various other statutory and regulatory provisions to maintain and preserve payroll and other employment records with respect to the plaintiffs from which the amount of defendants' liability can be ascertained.

16. Pursuant to 29 U.S.C. § 216(b), plaintiffs are entitled to recover liquidated damages in an amount equal to their back pay damages for the defendants' failure to pay overtime compensation. In addition, plaintiffs are entitled to an award of interest on their backpay damages until such damages are paid.

17. Plaintiffs are entitled to recover attorneys' fees and costs under 29 U.S.C. § 216(b).

DEMAND FOR A JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, plaintiffs hereby demand that their claims be tried before a jury.

WHEREFORE, the plaintiffs, on their own behalf and on behalf of others similarly situated, pray that this Court:

- (a) Enter judgment declaring that the defendants have willfully and wrongfully violated their statutory obligations, and deprived each of the plaintiffs of his and her rights;
- (b) Order a complete and accurate accounting of all the compensation to which the plaintiffs are entitled;
- (c) Award plaintiffs monetary liquidated damages equal to their unpaid compensation;
- (d) Award plaintiffs interest on their unpaid compensation;
- (e) Award plaintiffs their reasonable attorneys fees to be paid by the defendants, and the costs and disbursements of this action; and

(f) Grant such other relief as may be just and proper.

Respectfully submitted,



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